FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 2262 OF 2004

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Orders

Mr. H. P. Vyas for petitioner

Mr. Amin H. Solkar for petitioner's daughter.

Mr. D.S. Mhaispurkar APP

Ms. P.H. Kantharia, APP for CBI

CORAM: SMT. RANJANA DESAI &
SMT. V.K. TAHILRAMANI, JJ.

DATED:-22/1/2007

P.C.:-

Pursuant to our order the petitioner's daughter has been brought to the court. We have interviewed her in our Chamber. She told us that she wants to stay with her husband. She further told us that she is very happy with her husband and that no illtreatment is being meted out to her.

Admittedly she is a major. Hence as per her wishes she must be allowed to live with her husband. We note

that, we also interviewed the petitioner in our Chamber. We allowed the petitioner to talk to his daughter in our Chamber. The daughter maintained even in the presence of the petitioner that she wants to go back to her husband’s house.

Ms. Kantharia, learned counsel appearing for the CBI contended that a case is registered against respondents 4 and 5 under Sections 363, 366 and 120-B read with 34 of the Indian Penal Code. The case is being investigated by C.B.I. Ms. Kantharia contended that the daughter of the petitioner should not be allowed to leave the country because her statements are to be recorded.

Mr. Mhaispurkar, learned APP also reiterated the same submissions.

Mr. Vyas, the learned counsel for the petitioner reiterated the same submissions.

Mr. Solkar, learned counsel who

is appearing for the petitioner's daughter has told us that she will cooperate with investigation.

In view of this no further order needs to be passed in this petition.

Needless to say that law will take its own turn. We have not expressed any opinion on the pending case. We only hope that as per the statement made by Mr. Solkar, the petitioner's daughter cooperates with the CBI and allows CBI to record her statement.

Let the petitioner's daughter visit the office of the CBI for recording the statement between 2 to 5 p.m. today i.e. 22/1/07 and tomorrow 23/1/07.

Petition is disposed.

JUDGE.

JUDGE.